

PURPOSE

It is the priority and responsibility of the Michigan Department of Health and Human Services' (MDHHS) to assure the safety of each youth placed in state operated and private, contracted juvenile justice residential treatment facilities. This policy helps to promote safety and provides employee training requirements at state operated and private, contracted juvenile justice residential treatment facilities.

DEFINITIONS

Contractor

A person who provides services on a recurring basis pursuant to a contractual agreement with the agency. 28 CFR 115.5.

Employee

A person who works directly for the agency or facility. 28 CFR 115.5.

Direct Care Worker

A person who provides direct care and supervision of children in the facility. Mich Admin Code, R 400.4101(n).

Medical Practitioner

A health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of their professional practice. A *qualified medical practitioner* refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims. 28 CFR 115.5.

Mental Health Practitioner

A mental health professional who, by virtue of education, credentials, and experience is permitted by law to evaluate and care for patients within the scope of their professional practice. A *qualified mental health practitioner* refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims. 28 CFR 115.5.

Social Service Worker

A person who works directly with youth, their families and other relevant individuals who are primarily responsible for the development, implementation and review of treatment plans for the youth. This definition does not prevent a team approach to treatment plan development and implementation. Mich Admin Code, R 400.4101(hh).

Staff

Employees. 28 CFR 115.5.

A person who is employed by an institution, a volunteer for the institution, including student interns, or a person who is used by the institution to provide specific services. Mich Admin Code, R 400.4101(ii).

For the purposes of this policy, staff also include contractors and sub-contractors or an individual who has direct contact with youth.

**RESPONSIBLE
STAFF**

The facility director and management.

PROCEDURE

State operated and private, contracted juvenile justice residential treatment facility leadership must develop and implement a facility training program. The program must include a written monitored training plan to ensure the plan is executed and employee training needs are addressed.

The program must address the training requirements in [SRM 103, Staff Qualifications and Training](#) and contain the requirements outlined in this policy.

**FACILITY TRAINING
PLAN**

The training plan must include orientation for new and transfer employees and recurring or supplemental training for employees after their first year at the facility. Plans may be based on the fiscal year or other time deemed appropriate by facility management. Plans may cover multiple years and must include mandatory training elements for staff in accordance with this policy.

The plan may also include professional development training for clinical staff such as group leaders or social workers. For example, a facility that provides juvenile sex offender therapy could schedule sex offender assessment and therapy training.

Certified Qualified Residential Treatment Programs

In addition, certified qualified residential treatment programs must implement a training practice model that fully operationalizes the values of family-driven, youth-guided, trauma-informed, permanency, strong involvement with the home communities, and culturally and linguistically competent care. The training model must have an urgent focus on permanency practices and engaging and working with youth and families in their homes and communities towards successful and sustained reunification.

The facility director must implement a trauma informed practice model that is certified and approved by the Juvenile Justice Program Office initially in the application and annually in the Chief Administrator Annual Assessment, CWL-4607-CCI.

Facility Director or Designee Responsibilities

The facility director must provide sufficient well-trained staff who are able to provide and consistently demonstrate effective child engagement that encourages the youth's goals while creating a safe environment. The facility director and/or designee will recruit and employ a diverse staff reflective of the youth population.

The facility director must designate individual(s) trained in making decisions using the Reasonable and Prudent Parent Standard as well as those who are authorized to consent to the youth's participation in activities. The designated individual(s) must be onsite to exercise the Reasonable and Prudent Parent Standard, take responsible steps to determine the appropriateness of the activity in consideration of the youth's age, maturity and development level. The individual(s) is to consult with treatment staff who are most familiar with the youth when applying and using the reasonable and prudent parent standard.

The facility director or designee must:

- Work with designated facility staff and department training staff to implement the approved facility training plan.
- Coordinate with designated facility staff to:
 - Schedule training and inform facility staff.
 - Provide suitable training rooms and equipment to support the training.
 - Maintain required curricula and training materials to support training.
 - Monitor training sessions and personally lead training sessions when deemed necessary or appropriate.
 - Make provisions for refresher training for employees returning to work after being absent for significant periods of time. Significant periods of time must be determined by the duration of the absence, the employee's duties and responsibilities, and the requirements of the training plan.
 - Review implementation of the training plan, including staff training records, to ensure documentation of orientation, recurring, mandatory and situational training on at least a quarterly basis. Take corrective action in cases where the plan lacks adequate implementation or requires modification.
- Maintain training documentation that includes:
 - Full names of staff.
 - Staff duty assignment(s)/position classification.
 - Official date of hire and date of arrival at facility (if different).
 - Training hours required (for a new employee or recurring requirement).
 - Chronological listing of training topics completed, topic duration in hours, and total training hours for the period.
 - Documentation of actual individual staff attendance for each training presentation where the facility provides the training.

- Designate a Prison Rape Elimination Act (PREA) compliance manager with enough time and authority to coordinate the facility's efforts to comply with PREA. 28 CFR 115.311(c).

Training Staff Responsibilities

Training staff must:

- Administer written tests and demonstrate skills as contained within applicable curricula and materials.
- Evaluate staff knowledge retention subject to appropriate criteria. For example, by issuing a pre or post-test to measure knowledge gained.
- Provide staff with opportunities for remedial training and retesting. Remedial training and retesting may be repeated.
- Notify facility director of any concerns related to participant completion of training.

IN-SERVICE TRAINING

Orientation Training

Pursuant to the Mich Admin Code, R 400.4128(1)(a)(b), the facility director or designee is responsible for providing orientation training for new staff that includes:

- Facility's purpose, policies and procedures, including discipline, crisis intervention techniques and emergency safety procedures.
- The role of the staff members in service delivery and protection of the youth.

The facility training plan must ensure that employees complete a minimum of 50 hours of training during their first year of employment. At least 16 of the 50 hours provided in the first year must be orientation provided prior to the employee assuming duties. Mich Admin Code, R 400.4128(3).

Pursuant to the Mich Admin Code, R 400.4128(4), training opportunities in the plan for direct care staff must include, but are not limited to:

- The developmental needs of children.
- Child management techniques.
- Basic group dynamics.
- Appropriate discipline, crisis intervention and child handling techniques.
- The direct care worker and social services worker roles in the institution.
- Proper and safe methods and techniques of restraint and seclusion/behavior management if the facility has such a room(s).
- First aid.
- Interpersonal Communication.

No employee may assist with or restrain a youth or place a youth in a seclusion room prior to receiving training on these topics. Mich Admin Code, R 400.4128(5). The Division of Child Welfare Licensing must approve the training model.

In-Service On-Going Training

Facility staff must have a minimum of 25 hours of training annually related to the employee's job function. Mich Admin Code, R400.4128(3).

Certified Qualified Residential Treatment Programs

All facility staff must be provided with quarterly trauma-focused program training to maintain a trauma-informed milieu and treatment environment. Trauma-focused programming must be based on an evidence-based, evidence-informed or promising practice treatment model.

**MASTER (RFCJJ)
CONTRACT
TRAINING**

In accordance with the residential foster care juvenile justice (RFCJJ) contract, state operated and private, contracted juvenile justice residential treatment facilities must provide orientation and ongoing training.

**Orientation
Training**

Orientation training must include:

- Child protection law (MCL 722.622 et seq.) and mandated reporting requirements.
- Reasonable Prudent Parent Standard, [FOM 722-11, Prudent Parent Standard and Delegation of Parental Consent](#).
- Family/child/youth engagement.
- Interpersonal communication.
- Acceptable discipline.
- Crisis intervention.
- Personnel responsible for dispensing medication. Mich Admin Code, R 400.4142.
- Evacuation Training. Mich Admin Code R400.4606.
- Six Core Strategies.
- PROFESOR.
- MAYSI-II.
- Casey Life Skills.
- Evidence based trauma informed treatment.
- Trauma Training.

Orientation training may include job shadowing but must include other types of training, for example, lecture, seminar, practical skills demonstration etc.

All program staff and supervisors responsible for developing and/or approving the youth treatment plans and administering the Michigan Juvenile Justice Assessment System (MJJAS) risk assessment tools must be trained and certified. See [SRM 103 Staff Qualifications and Training](#) for MJJAS training requirements.

Annual Training

Annual training topics must be selected from, but are not limited to:

- Reasonable Prudent Parent Standard, [FOM 722-11, Prudent Parent Standard and Delegation of Parental Consent](#).
- Working as part of a team.
- Relationship building.
- Family/child/youth engagement.
- Understanding and effectively responding to difficult behaviors.
- Positive behavior support.
- Setting clear limits.
- Engagement and Interpersonal communication.
- Acceptable discipline, crisis intervention, and child handling and de-escalation techniques.
- The significance of family, benefits of visitation with family and siblings, importance of attachment and strengthening family relationships, impact of separation, grief and loss issues for youth in foster care and youth's need for permanency.
- Understanding and recognizing the emotional and behavioral issues and/or physical needs of abused/neglected youth.
- Medication management: administration, monitoring, recording, secure storage, medication side effects and procedure for reporting side effects, medication reviews and process for obtaining informed consents for medication changes. See [JRM 340, Psychotropic Medications](#), for informed consent requirements.
- Substance use prevention.

- Cultural competency, overcoming racial bias.
- Effects of trauma.
- Suicide prevention and/or intervention.
- Child development.
- Trauma-informed practices.
- Strength-based interventions and interactions.
- Defusing threatening behaviors.
- Solution-focused assessment and case planning.
- Role modeling.
- Six Core Strategies.
- Protective + Risk Observations for Eliminating Sexual Offense Recidivism (PROFESOR).
- Child and Adolescent Needs and Strengths-Sexually Aggressive Behavior (CANS-SAB).
- MAYSI-II.
- Casey Life Skills.
- Evidence based trauma informed treatment.

PRISON RAPE ELIMINATION ACT (PREA) TRAINING

The facility director or designated employee(s) must ensure that training is tailored to the unique needs and attributes of youth within the facility and to the gender of the youth at the facility. 28 CFR 115.331.

Employee Training

Pursuant to the Prison Rape Elimination Act (PREA), National Standards for Juvenile Facilities, 28 CFR 115.331, train all employees who may have contact with youth on:

- The facility's zero-tolerance policy for sexual abuse and sexual harassment.
- How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.
- Youths' right to be free from sexual abuse and sexual harassment.
- The right of youth and employees to be free from retaliation from reporting sexual abuse and sexual harassment.
- The dynamics of sexual abuse and sexual harassment in juvenile facilities.
- The common reactions of juvenile victims of sexual abuse and sexual harassment.
- How to conduct cross-gender pat-down searches and searches of transgender and intersex youth, in a professional, respectful and least intrusive manner possible, consistent with security needs. See [JRM 511, Body Searches of Youth](#) for details on conducting cross-gender searches.
- How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between youth.
- How to avoid inappropriate relationships with youth.
- How to communicate effectively and professionally with youth, including youth who identify as lesbian, gay, bisexual, transgender or who are intersex or gender nonconforming.
- Relevant laws regarding the applicable age of consent.

PREA employee training must include readily available educational reference materials and information such as pamphlets, posters and signs. Training may be conducted with resources obtained from the [National PREA Resource Center](#) and the [National Institute of Corrections](#).

In addition, train staff on how to comply with the relevant laws related to mandatory reporting of sexual abuse to outside authorities. See [APR 200, Mandated Reporter-Child](#) and [APR 201, Mandated Reporter-Adult](#) for mandated reporter requirements.

Frequency Required

All current employees who have not received PREA employee training must be trained with the facility's next PREA employee training and the facility director or designee is to provide each employee with refresher training annually to ensure that all employees know the facility's current sexual abuse and sexual harassment policies and procedures.

Employees are to receive additional training if the employee is reassigned from a unit that houses only male residents to a unit that houses only female residents and vice versa to ensure knowledge of gender-specific needs. See [JRM 205, Gender Response](#) pertaining to the implementation of gender-responsive treatment.

Investigator Training

Facility leadership must ensure at least one staff member has received specialized training to conduct sexual abuse and harassment investigations. 28 CFR 115.334(a).

Pursuant to Prison Rape Elimination Act, National Standards for Juvenile Facilities, 28 CFR 115.334(b), specialized training must include techniques for all the following:

- Interviewing youth who are alleged victims of sexual abuse.
- Proper use of Miranda and Garrity warnings.
- Sexual abuse evidence collection.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

See [National Institute of Corrections](#) and the [National PREA Resource Center](#) for trainings for facility investigators. Certificates received from the training shall be retained in the staff personnel file.

**Medical & Mental
Health Staff
Training**

The facility director or designee is responsible for providing medical and mental health staff with specialized training. All full and part time medical and mental health care staff who work regularly within the facility are required to be trained in the following (28 CFR 115.335):

- How to detect and assess signs of sexual abuse and sexual harassment.
- How to preserve physical evidence of sexual abuse.
- How to respond effectively and professionally to alleged victims of sexual abuse and sexual harassment.
- How to report allegations or suspicions of sexual abuse and sexual harassment.

If medical staff at the facility conduct forensic examinations, then the medical staff must be trained to conduct such examinations, and who must report.

See [National Institute of Corrections](#) and the [National PREA Resource Center](#) for trainings for medical and mental health staff. Certificates received from the training shall be retained in the staff personnel file.

Contractors, Sub-Contractors and Volunteer Training

Pursuant to the Prison Rape Elimination Act (PREA), Juvenile Facility National Standards, 28 CFR 115.332, the facility director or designated facility staff must ensure that volunteers and contractors who have contact with youth have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

Base the level and type of training provided to volunteers and contractors on the services they provide and the level of contact they have with youth. Volunteers and contractors who have any contact with youth must be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

DOCUMENTATION**Employee,
Contractor(s), Sub-
Contractor(s) or
Volunteer**

The facility director or designee shall document, through signature or electronic verification, that the employee, contractor, sub-contractor or volunteer understands the training they have received. 28 CFR 115.331-115.332.

Keep documentation in the personnel file.

Investigator

The facility director or designee is responsible for documentation, either through employee signature or electronic verification, that the facility investigators have received and completed the required specialized training in conducting sexual abuse investigations. 28 CFR 115.334.

Keep documentation in the staff personnel file.

**Medical & Mental
Health Staff**

The facility director or designee is responsible for documentation, either through employee signature or electronic verification, that the facility medical and mental health care practitioners have received and completed the required specialized sexual abuse and harassment training. 28 CFR 115.335.

Keep documentation in the staff personnel file.

Mandatory Training Requirements Table

Topic	Attendees	Frequency
First Aid & Cardiopulmonary Resuscitation (CPR)	Enough staff to ensure at least one person on campus is certified at all times.	Orientation & re-certification. JRM 140 , MCL 722.112a & Mich Admin Code, R 400.4115.
Emergency Plan & Evacuation Training	All staff.	Orientation & annual. Mich Admin Code, R 400.4606.
Suicide Prevention	Direct care staff, shift supervisors and program managers.	Orientation (8 hours) & annual (2 hours). JRM 503 .
Occupational Safety and Health Administration (OSHA) Bloodborne pathogens	Direct care staff, shift supervisors and program managers.	Orientation, annual. JRM 351 & 29 CFR 1910.1030.
Massachusetts Youth Screening Instrument (Second Version) MAYSI-II	Admissions staff.	Orientation & annual. JRM 304 .
Post-Restraint Visual Examination	Managers.	Orientation & every two years; JRM 610 & JRM 620 .
DCWL Director Approved Physical Restraint	Any staff that may be involved in physical restraint of a youth.	Orientation & annual. Mich Admin Code, R 400.4128(5) & JRM 610 .
Proper and Safe Methods and Techniques of Seclusion	Any staff that may be involved in seclusion of youth.	Annual & orientation. Mich Admin Code, R 400.4128(5), 400.4159 & JRM 630 .
Mechanical Restraint	Any staff that may be involved in restraint of youth.	Orientation & annual refresher. Mich Admin Code, R 400.4128(5) & JRM 620 .
Developmental Needs of Children	Direct care staff.	Orientation & annual. Mich Admin Code, R 400.4128(4)(a).

Mandatory Training Requirements Table

Topic	Attendees	Frequency
Child Management Techniques	Direct care staff.	Orientation & annual. Mich Admin Code, R 400.4128(4)(b).
Basic Group Dynamics	Direct care staff.	Orientation & annual. Mich Admin Code, R 400.4128(4)(c).
Appropriate Discipline, Crisis Intervention & Child Handling Techniques	Direct care staff.	Orientation & annual. Mich Admin Code, R 400.4128(4)(d).
Medication Distribution	Staff who distribute medications.	Orientation & annual. Mich Admin Code, R 400.4142(f), Master RFCJJ Contract & JRM 381 .
Safeguarding of Keys, Locks and Other Access Control Devices	Direct care staff, shift supervisors and program managers.	Orientation & every two years. JRM 514 .
Right to Know Including Material Safety Data Sheets	All staff.	Orientation & annual. JRM 531 .
Prison Rape Elimination Act (PREA) Employee Training	All staff.	Orientation & annual. 28 CFR 115.331, JRM 170 & JRM 560 .
PREA Gender Responsive Training	All staff & staff transferring to a new program serving other gender.	Orientation & employee transfers. 28 CFR 115.331(b).
PREA Training for Medical & Mental Health Staff	All medical & mental health staff.	Taken online upon employment. 28 CFR 115.335, JRM 170 & JRM 560 .
PREA Investigator Training	All facility investigators. At least one (1) investigator in a facility.	Before investigative duties begin. 28 CFR 115.334, JRM 170 & JRM 560 .

Mandatory Training Requirements Table		
Topic	Attendees	Frequency
Mandated Reporters, Maltreatment in Care Procedures	Mandated reporters.	Orientation & annual. MCL 722.623, Mich Admin Code R400.4128(4)(e), APR 200-Child , APR 201- Adult , & MDHHS Mandated Reporter Training .
Body Searches of Youth	All staff who are subject to searching youth.	Orientation & annual. 28 CFR 115.315 & JR5 511 .
Michigan Juvenile Justice Assessment System (MJJAS)	As listed in SRM 103 .	When training is available. Trainees must successfully pass a written and practical examination to become certified to administer the MJJAS. SRM 103 .
Automated Emergency Defibrillator	Direct care staff, shift supervisors and program managers.	Orientation and every two years.
Policy and Procedure Review	All applicable staff.	Review annually & when MDHHS updates and publishes.
MiSACWIS Computer-Based Security Training	All new MiSACWIS users.	Prior to accessing MiSACWIS. MiSACWIS Security Training & SRM 103 .
Non-Discrimination	All staff.	Orientation & annually. SRM 400 .
Interpersonal Communication	All staff.	Orientation & annually. Mich Admin Code, R 400.4128(f).
Direct Care Worker and Social Services Worker Role	All applicable staff.	Orientation & annually. Mich Admin Code, R 400.4128(e).
Communicating with LGBTI Youth Effectively and Professionally	All staff.	Orientation & annually. 28 CFR 115.331(9).

Mandatory Training Requirements Table

Topic	Attendees	Frequency
Laws Regarding the Age of Consent	All staff that have contact with youth.	Orientation & annually. 28 CFR 115.331(11).
Reasonable and Prudent Parent Standard	All Staff	Orientation & annually. FOM 722-11
Six Core Strategies	All Staff.	Orientation & annually. Snapshot of Six Core Strategies
CANS-SAB	Case management staff, clinicians and other identified staff if providing services to youth with problematic sexual behaviors.	Orientation & annually. JRM 202
PROFESOR	Case management staff, clinicians and other identified staff if providing services to youth with problematic sexual behaviors.	Orientation & annually. JRM 202
Casey Life Skills	Supervisory staff or other identified staff.	Orientation & annually. JRM 202
Youth & Family Engagement.	All Staff.	Orientation & annually. 42 USC 672(4)(c).
Evidence-Based Trauma Informed Treatment	Psychiatrists, psychologists & clinicians.	Orientation & annually. 42 USC 671(4)(b).
Role Modeling	All staff.	Orientation & annually.
Trauma Training	All staff.	Quarterly.

LEGAL BASIS

Federal

Prison Rape Elimination Act (PREA), National Standards for Juvenile Facilities, 28 CFR 115.5.

Provides definitions for contractor, employee, medical practitioner, mental health practitioner and staff.

Prison Rape Elimination Act (PREA), National Standards for Juvenile Facilities, 28 CFR 115.311.

Provides requirements for zero tolerance of sexual abuse and sexual harassment and designation of a PREA compliance manager in juvenile justice residential treatment facilities.

Prison Rape Elimination Act (PREA), National Standards for Juvenile Facilities, 28 CFR 115.331-115.335.

Provides PREA training requirements for employees, contractors, volunteers, facility investigators and medical & mental health employees.

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 CFR 1910.1030.

Prescribes safeguards to protect employees against the potential health hazards caused by bloodborne pathogens in the work environment.

Family First Preservation Services Act, 42 USC 671(4)(b)

Requires the services or programs to be provided under an organizational structure and treatment framework that involves understanding, recognizing and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address trauma's consequences and facilitate healing.

Family First Preservation Services Act, 42 USC 672(4)(c)

To the extent appropriate, and in accordance with the youth's best interests, qualified residential treatment programs must facilitate participation of family members in the youth's treatment program.

Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183. Section 111 Supporting Normalcy for Children in Foster Care

Section 111 of this act establishes standards for normalcy for a child who is in the custody of the state and includes a Reasonable and Prudent Parent Standard and normalizing activities for children.

State**Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.112a.**

Requires staff, who have contact with youth, to be certified in first aid and cardiopulmonary resuscitation obtained through the American Red Cross, the American Heart Association or an equivalent organization or institution.

**Michigan
Administrative
Code****Child Caring Institution Rules, R 400.4101(ii).**

Provides the definition for staff.

Child Caring Institution Rules, R 400.4606.

Requires facility staff be trained in evacuation of the facility in the event of an emergency and maintaining a record of the training.

Child Caring Institution Rules, R400.4128.

Provides requirements on what the staff orientation and ongoing training must include. Provides the minimum number of training hours needed for the employees first year and annually thereafter related to the employee's job function.

Child Caring Institution Rules, R 400.4142(f).

Requires policy and procedure on training of personnel authorized to dispense medications.

POLICY CONTACT

Policy clarification questions may be submitted by juvenile justice supervisors or managers to: Juvenile-Justice-Policy@michigan.gov.